

On December 13, 2007, the Magistrate Judge issued a Report recommending that Defendant's motion for summary judgment (docket entry # 40) be granted and Plaintiff's complaint dismissed with prejudice. She further recommended that Defendant's motion to compel (docket entry # 47) be denied as moot. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and Recommendation and the serious consequences if he failed to do so. In response to the Report and Recommendation, Plaintiff filed a letter motion "asking the court to dismiss case Davis v. Eli Lilly & Co 3:06-2312." He offered no specific objection even if this consent to dismissal is deemed an "objection" to the entry of summary judgment.

After reviewing the motion, the entire record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the court adopts and incorporates the Report and Recommendation by reference into this order.

Therefore, it is hereby ordered that the summary judgment motion of Defendant (docket entry # 40) is granted; and it is,

Further ordered that the Plaintiff's complaint is dismissed with prejudice; and it is

Further ordered that Defendant's motion to compel (docket entry # 47) is denied as moot; and it is,

Further ordered that Defendant's motion to dismiss (docket entry # 60) is denied as moot.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
January 7, 2008

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